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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,762	01/14/2000	Bahram Ghaffarzadeh Kermani	Kermani 35	8802
7590	05/22/2007		EXAMINER	
Theodore Naccarella Synnestvedt & Lechner LLP 2600 Aramark Tower 1101 Market Street Philadelphia, PA 19107-2950			OPSASNICK, MICHAEL N	
			ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/483,762	KERMANI, BAHRAM GHAFFARZADEH
	<b>Examiner</b>	<b>Art Unit</b>
	Michael N. Opsasnick	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 17 October 2006.  
 2a) This action is **FINAL**.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-39 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-39 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
2. Claims 1-9,11-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura et al (5199080) in view of Ladden et al (5855003).

As per claims 1,17, 18,20,37-39, Kimura et al (5199080) teaches:

"a voice command remote control system for controlling a household appliance controlled device comprising.....first controlled device comprises" electrical signals speech recognition controlled device (abstract, Fig. 6; col. 1 lines 1-30)

"a recognition processor ..... stored pattern data" as recognition processor (fig. 6, subblock 5) Kimura et al (5199080) transmits the control signal to the controlled device wirelessly (i.e., the recognition process is performed at the speech originating section), and does not explicitly teach transmitting speech signals to the controlled device for further speech processing, however, Ladden et al (5855003) teaches establishing a wireless link between the remote codec (located in the MS, fig. 6 subblock 200) and the

localized speech recognizer (Fig. 6, subblock 209; col. 3 lines 1-10). Therefore, it would have been obvious to one of ordinary skill in the art of speech related remote access devices to modify the location of speech recognition in the remote of Kimura et al so that initial speech processing could be performed at the remote device and transmit speech parameters to the local device, as taught by Ladden et al (5855003) because it would advantageously use a more powerful speech recognition algorithm located at the base/local station rather than a less than ideal codec that is located at the wireless device (Ladden et al (5855003), col. 1 lines 12-20).

As per claims 2,19, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches:

"the voice command remote control system ..... first controlled device" as an A/D converter (Kimura et al (5199080) fig. 6, subblock 21; to be used in controlling an AV device – col. 1 lines 5-20).

As per claims 3,13,16,19,25,28,31, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches: "first controlled device ..... audio voice command" as preset command executed based on recognition ('Kimura et al (5199080), fig. 12, subblocks s35-s41);

As per claims 4,6, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches:

"a recorder that records said electrical signal" as stored voice signals (Kimura et al (5199080), Fig. 6, subblock 23A);

As per claims 5,21,35 the combination of Kimura et al (5199080) in view of Ladden et al (.5855003) teaches:

"the recorder is located in the remote device" as recorder in the remote device (Ladden et al (.5855003), the remote codec contains speech processing capabilities - col. 3 lines 43-60)).

As per claims 7-9,22-24,36, the combination of Kimura et al (5199080) in view of Ladden et al (.5855003) teaches:

"a repeat button ..... record button .... recorder is voice activated ..... voice-activation" as the ability for the user to be warned that a signal did no go thru, and user repeats the command (Kimura et al (5199080), col. 4 line 45 - col. 5 line 15);

As per claim 11, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches a second controlled device ..... stored pattern data -- as recognition processor (Kimura et al (5199080), Fig., 11, subblock 23b);

As per claims 12,26,27, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches a first controlled device ..... second control device -- as connection to a second control device (Kimura et al (5199080)fig. 11, subblock 24, going

to multiple controllers -- #16 is shown for illustration purposes).

As per claims 14,15,29,30,32-34 the combination of Kimura et al (5199080) in view of Ladden et al (5855003) teaches a first, second, and third controlled device -- as transmitting signals to multiple devices (Kimura et al (5199080), col. 1 lines 5-10).

3. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Kimura et al (5199080) in view of Ladden et al (5855003) in further view of Puthuff (6112103).

As per claim 10, the combination of Kimura et al (5199080) in view of Ladden et al (5855003) does not explicitly teach speech recognition training, however, Puthuff (6112103) teaches speech recognition training (col. 6 lines 10-25). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition to modify the teachings of the combination of Kimura et al (5199080) in view of Ladden et al(5855003) with speech recognition training because it would advantageously adapt the system to the user (Puthuff (6112103), col. 6 lines 25-45).

#### *Response to Arguments*

4. Applicant's arguments filed 10/17/2006 have been fully considered but they are not persuasive. As per applicants arguments on page 13 of the response pertaining to hindsight, the examiner disagrees and notes that the motivation to combine the references has come from the

Ladden reference itself (as noted in the Office Action rejection), and the fact that the Ladden reference contains motivation similar to applicants specification is proof that the concept was contemplated in the prior art. As per applicant's arguments on top of page 14 regarding nonanalogous art, examiner disagrees and argues that the commonality of the Kimura reference and the Ladden reference is voice recognition, and the storage and execution of voice recognition algorithms, and as such, are analogous art in the realm of speech recognition processes. As per applicant's arguments on pages 14-15 of the response towards the characterization of the Ladden reference, the examiner disagrees and notes that the remote unit of Ladden (codecs A&B) perform an initial speech recognition process, and when warranted, transfers the parameters to the base unit for further processing. In other words, the Ladden reference teaches having speech recognition/feature processing in the remote unit, and transferring these parameters for further processing to the base station. As per applicants arguments in the second full paragraph on page 16 of the response, examiner respectfully strongly disagrees with the statement that "speech recognition typically would not be used in a wireless communication network" – a cursory search for speech recognition used in wireless networks, generated, at minimum, the following references – US Patents (7050977, 7003463, 69637589, 6937977, 6675027, 6532446, 6459911, 6434403). As per the arguments presented on pages 18-21 of the response, examiner argues that record functions are well known in AV devices, and that the control signals by Kimura represents audio/visual functions, such as recording; and the combination of Kimura in view of Ladden teaches the transmission of speech parameters between the remote device and the base device.

*Conclusion*

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richemond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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